

103D CONGRESS  
1ST SESSION

# S. 1468

To amend the Higher Education Act of 1965 to require institutions of higher education to disclose participation rates, and program support expenditures, in college athletic programs, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20 (legislative day, SEPTEMBER 7), 1993

Ms. MOSELEY-BRAUN (for herself, Mr. SIMON, Mr. KENNEDY, Mr. HARKIN, Mrs. MURRAY, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

---

## A BILL

To amend the Higher Education Act of 1965 to require institutions of higher education to disclose participation rates, and program support expenditures, in college athletic programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Equity in Athletics  
5   Disclosure Act”.

### 6   **SEC. 2. FINDINGS.**

7       The Congress finds that—

1           (1) participation in athletic pursuits plays an  
2           important role in teaching young Americans how to  
3           work on teams, handle challenges and overcome  
4           obstacles;

5           (2) participation in athletic pursuits plays an  
6           important role in keeping the minds and bodies of  
7           young Americans healthy and physically fit;

8           (3) there is increasing concern among citizens,  
9           educators, and public officials regarding the athletic  
10          opportunities for young men and women at institu-  
11          tions of higher education;

12          (4) a recent study by the National Collegiate  
13          Athletic Association found that in Division I–A insti-  
14          tutions, only 20 percent of the average athletic de-  
15          partment operations budget of \$1,310,000 is spent  
16          on women’s athletics; 15 percent of the average re-  
17          cruiting budget of \$318,402 is spent on recruiting  
18          female athletes; the average scholarship expenses for  
19          men is \$1,300,000 and \$505,246 for women; and an  
20          average of 143 grants are awarded to male athletes  
21          and 59 to women athletes;

22          (5) female college athletes receive less than 18  
23          percent of the athletics recruiting dollar and less  
24          than 24 percent of the athletics operating dollar;

1 (6) male college athletes receive approximately  
 2 \$179,000,000 more per year in athletic scholarship  
 3 grants than female college athletes;

4 (7) prospective students and prospective stu-  
 5 dent athletes should be aware of the commitments of  
 6 an institution to providing equitable athletic oppor-  
 7 tunities for its men and women students; and

8 (8) knowledge of an institution's expenditures  
 9 for women's and men's athletic programs would help  
 10 prospective students and prospective student athletes  
 11 make informed judgments about the commitments of  
 12 a given institution of higher education to providing  
 13 equitable athletic benefits to its men and women  
 14 students.

15 **SEC. 3. DISCLOSURE OF ATHLETIC PROGRAM PARTICIPA-**  
 16 **TION RATES AND FINANCIAL SUPPORT DATA.**

17 (a) AMENDMENT.—Section 485 of the Higher Edu-  
 18 cation Act of 1965 (20 U.S.C. 1092) is amended by add-  
 19 ing at the end the following new subsection:

20 “(g) DISCLOSURE OF ATHLETIC PROGRAM PARTICI-  
 21 PATION RATES AND FINANCIAL SUPPORT DATA.—

22 “(1) DATA REQUIRED.—Each institution of  
 23 higher education which participates in any program  
 24 under this title, and has an intercollegiate athletic

1 program, shall annually submit a report to the Sec-  
2 retary that contains the following information:

3 “(A) For each men’s team, women’s team,  
4 and any team that includes both male and fe-  
5 male athletes, the following data:

6 “(i) The total number of participants  
7 and their gender.

8 “(ii) The total scholarship expendi-  
9 tures.

10 “(iii) A figure that represents the  
11 total scholarship expenditures divided by  
12 the total number of participants.

13 “(iv) The total number of contests for  
14 the team.

15 “(v) The total operating expenses for  
16 the team.

17 “(vi) The total recruiting expenses for  
18 the team.

19 “(vii) The total personnel expenses for  
20 the team.

21 “(viii) Whether the head coach is male  
22 or female and whether the head coach is  
23 full time or part time.

24 “(ix) The number of assistant coaches  
25 that are male and the number of assistant

coaches that are female and whether each particular coach is full time or part time.

“(x) The number of graduate assistant coaches that are male and the number of graduate assistant coaches that are female.

“(xi) The number of volunteer assistant coaches that are male and the number of volunteer assistant coaches that are female.

“(xii) The ratio of participants to coaches.

“(xiii) The total annual compensation of the head coach.

“(xiv) The total annual compensation of each of the assistant coaches.

“(B) A statement of the following data:

“(i) The ratio of male participants to female participants in the entire athletic program.

“(ii) The ratio of male scholarship expenses to female scholarship expenses in the entire athletic program.

“(2) DISCLOSURE TO PROSPECTIVE STUDENTS.—When an institution of higher education

1 described in paragraph (1) offers admission to a po-  
2 tential student, such institution shall provide to the  
3 student the information contained in the report sub-  
4 mitted by such institution to the Secretary under  
5 paragraph (1).

6 “(3) DISCLOSURE TO THE PUBLIC.—An institu-  
7 tion of higher education described in paragraph (1)  
8 shall make available to the public, upon request, the  
9 information contained in the report submitted by  
10 such institution to the Secretary under paragraph  
11 (1).

12 “(4) SECRETARY’S DUTY TO PUBLISH A RE-  
13 PORT OF THE DATA.—On or before July 1, 1995,  
14 and each July 1 thereafter, the Secretary, using the  
15 reports submitted under this subsection, shall com-  
16 pile, publish, and submit to the appropriate commit-  
17 tees of the Congress, a report that includes the in-  
18 formation contained in such reports identified by (A)  
19 the individual institutions, and (B) by the athletic  
20 conferences recognized by the National Collegiate  
21 Athletic Association and the National Association of  
22 Intercollegiate Athletics.

23 “(5) DEFINITION.—For the purposes of this  
24 subsection, the term ‘operating expenses’ means all  
25 nonscholarship expenditures.”.

1       (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall take effect on July 1, 1994.

○